

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested.

Applicant wishes to thank the Examiner for the allowance of claims 29-33 and 35, and the indication that claims 5-7, 13, 15, and 17-21 are directed to allowable subject matter.

While claim 3 is listed as rejected in the Office Action Summary, no discussion or rejection of claim 3 is present in the body of the Office Action. Applicant is thus unable to respond to any rejection of this claim.

In regard to the claim rejections, applicant submits that the two references cited by the Examiner and applicant's claimed invention are quite different. Claims 1, 2, 4, 8-12, 14, 16, 22-24, 27, 28, and 34 were rejected as anticipated by the '814 patent to Dyer, Jr. According to the '814 patent specification at Column 4, Line 36, "Foam piece 120B [which is correlated to a first insert in the office action] covers the full width of the bag, but covers only the middle third (approximately) of the length of the bag." Also notice that bag 110 which sits beneath foam piece 120B is filled with water.

In contrast, applicant's claim 1 claims a mattress with a raised sleep zone(s) between the outer cover and the inner mattress unit, the raised sleep zone being sized and positioned to inhibit the formation of body impressions. This raised sleep zone is claimed in combination with an inner mattress unit, an outer cover, and a first cushion top of a predetermined thickness (as further specified in claim 1). This is different from Dyer, which discloses a foam piece 120B that would only cover a small part of a user's body, i.e. the middle part. Thus, foam piece 120B in Dyer is not configured to inhibit the formation of body impressions

because it spans only the middle third of the mattress and spans the entire width of the mattress.

Applicant's independent claim 8 is directed to the novel combination of an inner mattress unit, a first insert configured and positioned to inhibit the formation of body impressions, a first cushion top, and an outer cover. Claim 8 is distinguishable from Dyer for at least the reason that it requires an insert configured and positioned to inhibit the formation of body impressions. No such structure is shown in Dyer.

Independent claim 34 is also distinguishable from Dyer. Claim 34 is directed to a subassembly to inhibit the formation of body impressions comprised of a stabilizing layer and at least one substantially planar insert. The subassembly is configured to be installed adjacent to an inner mattress unit, and the planar insert is configured to fill an area inside a mattress where body impressions form. In contrast, Dyer is directed to a mattress with convoluted foam that spans only the middle third of the mattress and spans the entire width of the mattress. Thus, claim 34 is patentably distinct.

Claims 1, 2, 4, 8-10, 14, 23, 25, and 26 were rejected as anticipated by the '390 patent to Bonaddio. The '390 patent discloses a padding material layer comprised of foam pieces 23' and 32'. Piece 23' is positioned within piece 32', forming a uniform upper surface.

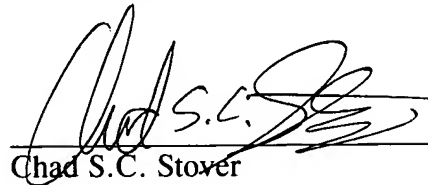
Independent claim 1 requires a raised sleep zone having a planar surface area less than the planar surface area of the first side of the inner mattress unit. Similarly, independent claim 8 requires a first insert configured to inhibit the formation of body impressions.

Furthermore, claim 1 requires that the raised sleep zone be positioned to inhibit the formation of body impressions. In a like manner, claim 8 requires the first insert be positioned

to inhibit the formation of body impressions. Applicant submits that Bonaddio does not disclose a foam insert positioned to inhibit body impressions. In fact, the stated purpose of the Bonaddio device is to create an edge support for a mattress, not to prevent the formation of body impressions.

Inasmuch as all issues raised by the Examiner have been addressed, it is submitted that the present application is in condition for allowance, and action to such effect is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chad S.C. Stover", written over a horizontal line.

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